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FEB 13 2008

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FEB 13 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DIVISION OF CALIFORNIA
SAN FRANCISCO DIVISION

WACHOVIA BANK, N.A. AS
TRUSTEE (BAY VIEW),

Plaintiff,

v.

JOHN CLIFTON ELSTEAD,
et al.,

Defendants.

CASE NO. CV076015 SI

STIPULATION TO CONTINUE MOTION
HEARING

IT IS HEREBY STIPULATED by and between the interested parties that the motion by defendant John Clifton Elstead to dismiss for failure to state a claim upon which relief can be granted, currently set to be heard on February 15, 2005 at 9:00 AM, may be continued for hearing to March 21, 2008 at 9:00 AM.

DATED: 2/12/08

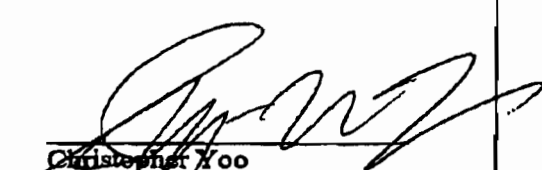
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1 DATED: 2/12/08

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6 John Clifton Elstead
7 Defendant/Pro Se

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9 DATED: 2/12/08

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12 
13 Christopher Yoo
14 Adorno, Yoss, Alvarado & Smith
15 1 MacArthur Place, Suite 200
16 Santa Ana, CA 92707

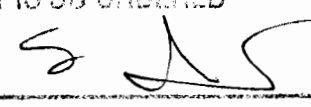
17 Attorney for Plaintiff
18 Wachovia Bank

19 DATED: _____

20
21 Thomas Newman
22 Assistant US Attorney
23 450 Golden Gate Ave.
24 San Francisco, CA 94102

25 Attorneys for Defendant
26 United States of America

27 IT IS SO ORDERED

28 
Susan Histon, Judge

2/12/08
Date

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P. 3

1 DATED: 2/12/08

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DATED: 2/12/08

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John Clifton Elstead
Defendant/Pro Se

Christopher Yoo
Adorno, Yoss, Alvarado & Smith
1 MacArthur Place, Suite 200
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Attorney for Plaintiff
Wachovia Bank


Thomas Newman
Assistant US Attorney
450 Golden Gate Ave.
San Francisco, CA 94102

Attorneys for Defendant
United States of America